

Exhibit A

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DEMOCRACY NORTH CAROLINA; NORTH CAROLINA)
BLACK ALLIANCE; LEAGUE OF WOMEN VOTERS)
OF NORTH CAROLINA,)

Plaintiffs,)

-vs-)

ALAN HIRSCH, IN HIS OFFICIAL CAPACITY AS)
CHAIR OF THE STATE BOARD OF ELECTIONS;)
JEFF CARMON, III, IN HIS OFFICIAL CAPACITY)
AS SECRETARY OF THE STATE BOARD OF ELECTIONS;)
STACY EGGERS, IV, IN HIS OFFICIAL CAPACITY AS)
MEMBER OF THE STATE BOARD OF ELECTIONS;)
KEVIN LEWIS, IN HIS OFFICIAL CAPACITY AS)
MEMBER OF THE STATE BOARD OF ELECTIONS;)
SIOBHAN O'DUFFY MILLEN, IN HER OFFICIAL)
CAPACITY AS MEMBER OF THE STATE BOARD OF)
ELECTIONS; KAREN BRINSON BELL, IN HER)
OFFICIAL CAPACITY AS EXECUTIVE DIRECTOR OF)
THE STATE BOARD OF ELECTIONS; NORTH CAROLINA)
STATE BOARD OF ELECTIONS,)

Defendants.)

-----)

VIDEOTAPED DEPOSITION

OF

SENATOR WARREN T. DANIEL

(Taken by Plaintiffs)

Raleigh, North Carolina

Wednesday, September 11, 2024

Reported in Stenotype by
Lisa A. DeGroat, Registered Professional Reporter
Transcript produced by computer-aided transcription

1 Q. Is that what it will be after the next --
2 the maps come into -- in the -- sorry. Strike that.

3 Is that the district that you were elected
4 under?

5 A. Yes.

6 Q. Okay.

7 A. But -- yes. I mean, I was elected -- those
8 are the counties that are in my current district.

9 Q. Have you ever represented Avery County?

10 A. Avery.

11 Q. Avery.

12 A. Yes.

13 Q. Okay. Do you remember when that was?

14 A. Let me think. I would say roughly 2019
15 through 2022.

16 Q. What are your current committee assignments,
17 if any?

18 A. So I am cochair of the redistricting
19 election committee. I am a cochair of the judiciary
20 committee. I'm a vice chair of the rules committee.
21 I think I'm a member of the transportation committee.

22 I am a cochair of the justice and public
23 safety appropriations committee, and I am on the -- I
24 think I'm on appropriations based budget.

25 Those are the ones that I can remember off

1 Q. Why are you sure you voted for it?

2 A. Because I'm a member of the majority, and
3 when the majority -- when a bill like that gets to the
4 floor, the majority votes for it.

5 Q. Is it because you wanted it to be passed?

6 A. Well, I mean, I'd have to see the bill to --
7 I'm sure I would have agreed with most of the content.

8 Q. We can -- and I can -- we can talk about
9 that a little bit later, and I can show you the text
10 to further that, if we have time.

11 Outside of bills you've sponsored, are there
12 any activities you've engaged in that you believe
13 would further election integrity as you defined it?

14 A. Outside of legislating?

15 Q. Yeah.

16 A. Not in recent years. No. Not since 2011.

17 Q. How do you determine if something,
18 specifically a proposed piece of legislation, will
19 further election integrity?

20 A. Well, I think any bill is just -- it's
21 subject to the legislative process. There's a lot of
22 input from various angles. There -- you know,
23 legislator input. There's partisan staff input.
24 There are nonpartisan staff input, constituent input.

25 And so I think it's -- you know, just as the

1 bill goes through the legislative process, you know,
2 there's sort of a gleaning process, and I guess an
3 amendment process that eventually gets to a bill that
4 both chambers can agree upon.

5 Q. But how do you determine if after that
6 process you've just described a bill will increase
7 election integrity?

8 A. Well, for example, you know, in the current
9 bill, 747, there are some provisions that deal with
10 poll observers. And so I think one of the things that
11 we felt -- or I felt, I would say, is that the more
12 kind of public observation of an election is something
13 that can enhance election integrity and also give the
14 public confidence that, you know, they're not being
15 excluded from the process.

16 Q. If the electorate doubts the results of an
17 election based on false information, would you
18 consider that an election integrity issue?

19 MR. STRACH: Objection.

20 You can answer that, if you can.

21 THE WITNESS: Can you repeat the
22 question?

23 BY MS. KLEIN:

24 Q. I'll rephrase a bit.

25 If a significant number of voters doubts the

1 MS. KLEIN: We'll go off the record.

2 Thank you.

3 THE VIDEOGRAPHER: Off record at
4 11:02 a.m.

5 (RECESS FROM 11:02 A.M. TO 11:14 A.M.)

6 THE VIDEOGRAPHER: On record at
7 11:14 a.m.

8 BY MS. KLEIN:

9 Q. Senator Daniel, you understand that you're
10 still under oath?

11 A. Yes.

12 MS. KLEIN: Okay. I'd like to show
13 another document to you, doc 12, and we'll mark
14 this as Plaintiffs' Exhibit 5.

15 (PLAINTIFFS' EXHIBIT 5 WAS MARKED FOR
16 IDENTIFICATION.)

17 Q. All right. I'll represent to you that this
18 is a document produced by your attorneys in this
19 matter. And you can tell that because of the Bates
20 stamping that's on the lower right-hand --

21 A. Uh-huh.

22 Q. -- corner. It's an e-mail for Jillian [sic]
23 Empie to Andy Perrigo, within parentheses, "Senator
24 Warren Daniel." And that's your legislative
25 assistant; correct?

1 A. That's correct.

2 Q. And it was sent on January 17th, 2023. The
3 subject is, "Bill drafting." And it has an
4 attachment, "NCEIT Post-Election Analysis 12-2-22."

5 And in the e-mail Ms. Empie says, "Hello,
6 Andy. Thank you for your input. NCEIT," which I'll
7 refer to as NCEIT, and they stand for the
8 North Carolina Election Integrity Team, "has been
9 working on a list. I hope it will be shared soon.
10 The attached document is currently available, which
11 you may already be aware of, but further work has been
12 done. Joanne."

13 Do you recall ever seeing this e-mail?

14 A. I don't know that I did, other than in
15 reviewing the discovery materials.

16 Q. And if we -- if you turn the page to that
17 doc -- and I won't have you look through the whole
18 thing, but there's -- the attachment is included, and
19 it's the PowerPoint.

20 It's titled, "North Carolina Election
21 Integrity Team Postelection Analysis." And if you'd
22 just briefly skim through that? Do you recall ever
23 seeing this attachment?

24 A. I would just say that I probably saw it.

25 Q. How do you think it was shared -- if you had

1 to -- how -- what's the most likely way it was shared
2 with you?

3 A. Either -- it would either have been an
4 e-mail or a hard copy.

5 Q. So Mr. Perrigo might have printed this out
6 and put it on your desk, for example?

7 A. Or it's possible that they could have
8 dropped it off. Sometimes organizations drop things
9 off.

10 Q. And do you recall looking through it at any
11 point?

12 A. I would -- all I can say is I probably
13 skimmed it, but I don't remember when.

14 Q. Would it likely have been around the time it
15 was provided to your office?

16 A. Yes.

17 Q. Do you know Ms. Joanne Empie?

18 A. Yes.

19 Q. What -- how do you know her?

20 A. She's -- well, she's either my constituent
21 or close to it. I think she lives in the Buncombe
22 County area. So --

23 Q. What have -- what's been the nature of your
24 communications with her?

25 A. She's someone who is -- she's kind of

1 passionate about election integrity, and so she
2 communicates. I guess she's somehow involved with
3 this group a little bit, and --

4 Q. How frequently would you say you communicate
5 with her?

6 A. Not very often.

7 Q. If you had to estimate, once a month or a
8 couple times a year? Can you give an estimation like
9 that?

10 A. Probably -- more likely two or three times a
11 year.

12 Q. Do you consider her a reliable source of
13 information about election-related information?

14 A. I think she just kind of parrots what the
15 parent organization tells her.

16 Q. And when you say, "the parent organization,"
17 you mean NCEIT?

18 A. Uh-huh.

19 Q. NCEIT.

20 Sorry. Can you give a verbal answer?

21 A. Yes, uh-huh.

22 Q. And how would you have communicated with her
23 in the past?

24 A. The only thing I remember is she may have
25 come to Raleigh probably in-person. Yeah, I think it

1 presentation?

2 A. I wouldn't have sought her out. If she
3 wanted to have a phone conversation, I might have
4 given her the courtesy of doing that.

5 Q. What do you know about the North Carolina
6 Election Integrity Team?

7 A. I think that it's sometimes hard to keep who
8 is who straight and who is, you know -- but I think
9 Jim Womack is, like, the major leader of it.

10 Q. Have you worked with them in the past?

11 A. Not worked with. No.

12 Q. Have you communicated with them in the past?

13 A. I think only -- well, only by mostly by
14 e-mail. They may have -- it's usually a one-way
15 conversation. They would send us their
16 recommendations or their information, and then I think
17 there was one meeting with Jim Womack.

18 Q. And do you remember when that meeting was?

19 A. It was around the time this -- that this
20 bill was being considered, 747, but I don't remember
21 the date.

22 Q. Do you consider Mr. Womack a reliable source
23 of information about election-related issues?

24 A. I think -- I don't think he misrepresents
25 anything.

1 Q. Do you consider him a reliable source of
2 information?

3 A. Well, I think I would need to distinguish
4 between -- so I think he's a reliable source -- source
5 of information. I don't think that their
6 recommendations are always things that should be
7 passed into law, I guess, for various reasons.

8 Q. Are you able to generally speak on those
9 reasons?

10 A. Yes.

11 Q. What are those reasons?

12 A. I think some of the election integrity
13 groups, they don't always analyze the constitutional
14 case law surrounding issues. They don't understand
15 the logistical problems that could be caused with some
16 of the proposals they make. And I think sometimes
17 some of their recommendations could be just
18 ineffective, I guess.

19 Q. And everything you just said, is that true
20 of the North Carolina Election Integrity Team?

21 A. Well, as I said before, I take every -- all
22 of their -- any -- any groups' recommendations in this
23 area with a grain of salt and really rely more on our
24 staff than on outside influences.

25 Q. But with regards to the issues that you had

1 Q. Two pages away. Under bullet number four it
2 says, "Eliminate same-day registration during early
3 voting."

4 A. Uh-huh.

5 Q. Do you see that?

6 A. Yes.

7 Q. What, if anything, was done in response to
8 your office receiving this information?

9 A. The only thing we might have done would be
10 to share it with our pro tem staff.

11 Q. How would you --

12 A. Like we did with other materials.

13 Q. How would you have shared it?

14 A. Most likely by e-mail.

15 Q. And do you recall -- so the date of this
16 e-mail is January 17th --

17 A. Uh-huh.

18 Q. -- 2023. Do you recall if same-day
19 registration issues were on your radar before you
20 received -- your office received this document?

21 A. Well, over the years it's been on the radar
22 of the General Assembly in prior sessions. It wasn't
23 really on my radar, and I didn't consider it really a
24 significant aspect of this bill. So it wasn't
25 something that I focused much attention on.

1 Q. Do you recall speaking with any staff about
2 any of the recommendations made in this PowerPoint
3 that your office received in January?

4 A. So generally I guess what I would say is
5 that when recommendations came in from outside groups,
6 then I let staff filter them. You know, so I would
7 send -- send these things to staff, ask them to kind
8 of catalog them into categories, and then, you know,
9 make recommendations to us as to which things they
10 thought were something that should go into the bill.

11 Q. Do you remember specific to this
12 presentation whether that process you described as
13 generally occurring happened?

14 A. Well, I have no reason to believe that my
15 practice would have been different, that I would have
16 considered it to go into the pool, I guess.

17 MS. KLEIN: Let's look at another
18 document. We'll go to doc 14. I'll represent
19 that this one, Phil, was also produced by y'all,
20 but for some reason it didn't print with that --
21 or it was -- I think it was produced by -- sorry.

22 The state board produced it, but for
23 some reason it wasn't printed with that. But we
24 can get -- we can get you via e-mail the Bates
25 for that, but you definitely have it.

1 correspondence, I don't know if I saw it.

2 Q. Yeah, the correspondence. And then that's
3 a -- and then if you turn the page, there is an
4 attachment. And the title says, "North Carolina
5 Election Integrity Team legislative priorities list."
6 Do you recall seeing this document?

7 A. Not specifically, but I would think that
8 probably I had a copy of it at some point.

9 Q. Why do you think that?

10 A. Because NCEIT would have wanted all of the,
11 you know, election committee chairs to have a copy and
12 probably would have either sent it to us or brought --
13 brought a copy by.

14 Q. And it's dated February 25th, 2023; correct?

15 A. The document?

16 Q. The attachment.

17 A. Yes, uh-huh.

18 Q. And if you look to the next page, on bullet
19 number eight, it says, "Early voting and same-day
20 registration"?

21 A. Uh-huh.

22 Q. And then the first line under that says,
23 "Reduce early voting duration to ten days." The
24 second line says, "Make same-day registrants eligible
25 only for provisional ballots, which can be researched

1 and challenged prior to canvass."

2 And then the third says, "Retain electronic
3 images of photo ID and address verification documents
4 used in SDR at local BOE. Make them inspectable as
5 public records after redactions."

6 Do you see that?

7 A. Yes.

8 Q. And, just for the record, SDR you understand
9 to be same-day registration --

10 A. Yes.

11 Q. -- correct?

12 A. Uh-huh.

13 Q. And, BOE, Board of Elections?

14 A. Board --

15 Q. Okay. Yes?

16 A. Yes.

17 Q. Okay. You said you probably received this.
18 Is this something that you would have passed on to
19 staff considering an election law bill in -- such --
20 similar to the processes you've already talked about
21 that generally occur?

22 A. If I got a copy, and if I didn't consider it
23 redundant to other things they sent, then I probably
24 would have given it to staff.

25 Q. Do you recall specifically doing that with

1 this document?

2 A. No.

3 Q. Okay. But you have no reason to think you
4 wouldn't have followed your general process --

5 A. No.

6 Q. -- with this document specifically?

7 A. Right.

8 Q. So this -- that second point, "Make same-day
9 registrants eligible only for provisional ballots,"
10 that is -- to your recollection, that is the change
11 that was made to same-day registration in the first
12 filed version of Senate Bill 747; correct?

13 A. I think that's correct.

14 Q. Do you recall any earlier information your
15 office received or could have received mentioning that
16 suggested change?

17 A. I don't have a recollection of it.

18 Q. Can you point me to any document that --
19 from anybody else that would have requested that
20 change to election law leading up to Senate Bill 747's
21 filing?

22 MR. STRACH: Objection.

23 Go ahead.

24 THE WITNESS: The only other -- I mean,
25 I think you have -- I think we've produced some

1 specifically, do you recall ever doing that?

2 A. No.

3 Q. And then he -- it looks like he's -- his
4 e-mail says he's from the Electoral Education
5 Foundation. Are you familiar with that organization?

6 A. I really just know Major Dave, and I can't
7 keep track of which group calls themselves what and
8 who is who. So --

9 Q. Are you -- do you interact with anybody else
10 from that organization, to your knowledge?

11 A. I think at one time Hal Weatherman may have
12 been involved before he became a candidate.

13 Q. Do you recall who that is?

14 A. Hal Weatherman.

15 Q. Hal Weatherman. Sorry.

16 All right. In the e-mail you said the
17 election chairs -- just to clarify for the record, you
18 meant your fellow cochairs on the senate election and
19 redistricting committee?

20 A. Yeah. I meant just the senate chairs.

21 Q. And that term election integrity groups,
22 you're meaning in this e-mail is the same as the
23 meaning that we discussed earlier in this deposition?

24 A. The different groups that we've seen
25 documents from today.

1 Q. But, also, in addition to that, also the
2 discussion we had earlier about what you consider an
3 election integrity group -- I just don't want to have
4 to rehash that -- is that discussion that we had
5 earlier --

6 A. When recommendations were -- were sent to
7 us, whether it was by a constituent or a group in,
8 like, a formal form, these -- these are things we
9 think would help election laws, then I filtered it to
10 staff, because some of them are redundant.

11 You know, some of the recommendations are
12 redundant, and I wanted them to sort of create a list
13 that we could then -- sort of a menu, I guess, so that
14 we could decide what we were going to include in the
15 bill and what we weren't going to include in the bill.

16 Q. So NCEIT would be included in the election
17 integrity groups you're referring to here?

18 A. Yes.

19 Q. And Jim Womack?

20 A. Yes.

21 MS. KLEIN: Okay. And we'll mark the
22 attachment to this, which we'll also hand over.
23 It's --

24 MS. TALERMAN: It's included.

25 MS. KLEIN: Oh, it's included. Okay.

1 Integrity Project.

2 And I'll represent that this was produced by
3 NCEIT as part of their -- as part of this litigation.
4 So this did not come from your counsel.

5 So these three groups you see on the cover,
6 fair to say those are within the umbrella of election
7 integrity organizations that we've been talking about?

8 A. Yes.

9 Q. And do you recognize -- just based on the
10 title page, do you recognize this presentation?

11 A. It looks similar to the one that was in one
12 of the earlier documents.

13 Q. Do you recall a meeting -- attending a
14 meeting on May 24th, 2023?

15 A. I would assume that that's the meeting with
16 Jim Womack.

17 Q. Can you tell me who else was in that
18 meeting?

19 A. Well, if it's the same meeting that we
20 talked about before, it would have been Cleta
21 Mitchell, Jim Womack, the three elections chairs on
22 our side and then one or more of the four staff
23 members that I mentioned, which was Brent Woodcox,
24 Josh Yost, Brian Fork and Nathan Babcock.

25 Q. Anybody from the state board there?

1 Q. But it doesn't squarely tell you that
2 they're an ineligible voter; correct?

3 A. Well, it's -- it's sort of been the age-old
4 mechanism by which all voting systems use to verify
5 voter eligibility.

6 Q. All right. Do you -- just going through the
7 rest of this presentation, if you go all of the way to
8 the page with -- on the lower right-hand corner NCEIT
9 000024.

10 This is in a section titled, "Election
11 integrity legislative recommendations from EIN's Cleta
12 Mitchell and NCEIT president Jim Womack."

13 And then on page 24 it says, "Four" --

14 A. 22 --

15 MR. STRACH: That's the cover sheet.

16 THE WITNESS: Okay.

17 MR. STRACH: And then she's on 24.

18 BY MS. KLEIN:

19 Q. And then on 24 it says, "Four, eliminate
20 same-day registrations, SDRs, during early voting or
21 at least require SDRs be issued provisional ballots,
22 so that addresses can be verified and challenges
23 permitted prior to canvas."

24 Do you see that?

25 A. I do.

1 Q. So this language squarely suggests that
2 either eliminates same-day registration or make them
3 all provisional; correct?

4 A. Correct.

5 Q. And this is the suggestion of making all
6 ballots provisional that ended up in the filed --
7 first filed version of Senate Bill 747; correct?

8 A. Well, I guess that -- the concept did. I
9 don't know whether they gave us any language for it or
10 not.

11 Q. So after this presentation do you recall any
12 followup steps that were taken by anyone to get more
13 information about the same-day registration issues
14 raised by the folks giving the presentation?

15 A. To my knowledge, no one followed up with
16 this group.

17 Q. What about following up with the State Board
18 of Elections?

19 A. I believe they were involved later in the
20 process after the bill had gone to the house.

21 Q. But they were not involved before the bill
22 was filed; correct?

23 A. They may have given us feedback, but I don't
24 remember.

25 Q. You --

1 Thinking -- you know, talking with central
2 staff about, you know, something that -- things that
3 would pass legal scrutiny, things that would have
4 practical -- practical improvements of the election
5 system but wouldn't be too burdensome for the Board of
6 Elections.

7 MS. KLEIN: All right. One more doc,
8 and then we can break for lunch. Document 23,
9 which we'll mark as Plaintiffs' Exhibit 12.

10 (PLAINTIFFS' EXHIBIT 12 WAS MARKED FOR
11 IDENTIFICATION.)

12 BY MS. KLEIN:

13 Q. So this is a followup e-mail from Jim
14 Womack, dated May 24th, 2023 at 10:37 p.m., to Brent
15 Woodcox. So it was produced by your counsel in this
16 matter.

17 And in the first paragraph Mr. Woodcox --
18 Womack -- excuse me -- says, "Thanks again for
19 participating in today's roundtable on election law.
20 Cleta, Jay and I stand ready to assist with proposed
21 language and statutory citations wherever you might
22 need our assistance."

23 And then he lists again the suggestions.
24 And number five is, "Same-day registrants may only
25 vote provisionally, and the ballot cannot be counted

1 until identity, eligibility and address are verified
2 prior to canvas."

3 A. Uh-huh.

4 Q. To your knowledge did anybody followup on
5 Mr. Womack's offer of providing proposed language?

6 A. Not that I know about.

7 Q. What about any other followup from anybody
8 from senate staff, to your knowledge?

9 A. Not that I'm aware of.

10 Q. Okay. Did -- and you didn't?

11 A. No, uh-uh.

12 Q. Okay. Did you forward this -- these
13 suggestions to Major Goetze for his thoughts?

14 A. I don't -- I'm not sure I was copied on
15 this. It's --

16 Q. Did you -- do you remember otherwise
17 discussing these ideas with Major Goetze?

18 A. No. I assume he was probably aware of them,
19 because they kind of work in the same space, but --

20 Q. But you don't recall personally talking with
21 him about any of it?

22 A. No.

23 MS. KLEIN: Okay. We can pause there
24 for lunch. Go off the record.

25 THE VIDEOGRAPHER: Off record at

1 were responsible for?

2 A. No. We really divided the work more
3 between, like, you know, Daniel, you're responsible
4 for this bill, and, Newton, you're responsible for
5 this bill.

6 Q. So, for example, like, I noticed that in the
7 public records you did most of the introductions for
8 Senate Bill 747. Does that mean that you were
9 responsible for Senate Bill 747?

10 A. I was the bill handler.

11 Q. You were the bill handler. Does that mean
12 that you were leading the bill drafting as well?

13 A. I would say we were equal partners in the --
14 the three chairs.

15 Q. But you --

16 A. But I was -- the bill handler would be
17 making more on top of the intricate details than the
18 others.

19 Q. Okay. And -- well, you didn't split it up
20 by area?

21 A. No.

22 Q. Everyone just had the opportunity to weigh
23 in on the filed draft?

24 A. Yes.

25 Q. Okay. So overall -- without disclosing

1 that was highlighted in the first sentence?

2 A. Because it was one of the most -- really
3 same-day registration was just sort of -- it was just
4 sort of a -- it wasn't one of the major features of
5 the bill in my point of view, but same-day absentee
6 ballot deadline was.

7 Q. How did that same-day absentee ballot
8 deadline provision increase confidence in elections?

9 A. Well, it -- first of all, it's the -- it's
10 the most common practice among a majority of states in
11 the country. And I think after what we kind of saw in
12 the last -- one of the last elections, where the Board
13 of Elections extended it nine days until -- to nine
14 days, that it just made sense for us to say, we're
15 just going to cut it off, so that all ballots are in
16 at the same time. And they can start counting all --
17 you don't have to wait three more days to know what's
18 going to come in.

19 Q. So you mean that having to wait extra time
20 to count ballots decreases confidence in elections, so
21 making the cutoff deadline as election day increases
22 the confidence; is that --

23 A. Well, election day should be election day.
24 Yes.

25 Q. Okay. Making same-day registrations

1 just be that -- you could have 500 less
2 provisional ballots from other sources in any
3 given year, and if -- you know, so if you had 500
4 and 500, it would be a wash.

5 BY MS. KLEIN:

6 Q. Yeah, but, assuming everything else equal,
7 making all same-day registration ballots provisional
8 increases the number of provisional ballots compared
9 to if that -- if they were not provisional?

10 A. Like I said, it could.

11 MR. STRACH: Objection.

12 (COURT REPORTER'S CLARIFICATION.)

13 THE WITNESS: It could.

14 BY MS. KLEIN:

15 Q. So did you -- did you include this provision
16 to encourage people not to use same-day registration
17 anymore?

18 MR. STRACH: Objection.

19 THE WITNESS: I think we included it --
20 I'd say I included it, because we thought that it
21 would give more confidence to the public that
22 people who were waiting until the very last
23 minute, even as late as Saturday before the
24 election to register and vote, that their vote
25 would only be counted if they were a legitimate

1 voter.

2 BY MS. KLEIN:

3 Q. Is --

4 A. It's just as important in my view that a
5 person who is eligible to vote is -- knows that
6 they're allowed to vote, as it is that when you and I
7 vote we know that our vote is not going to be canceled
8 out by somebody who is not eligible to vote.

9 Q. When you formed that -- and that -- and that
10 was your opinion when you had filed this bill on
11 June 1st; correct?

12 A. Well, I agreed with the provision, but,
13 again, I don't -- I didn't see it as a major -- the
14 same -- I didn't see the same-day registration
15 provision as a major piece of the bill, nor was it
16 really a topic of a lot of discussion between the two
17 parties. It wasn't one of the things that was really
18 highlighted.

19 Q. What evidence at that time did you have that
20 individuals using same-day registration, that any of
21 them were ineligible to vote?

22 MR. STRACH: Objection.

23 THE WITNESS: I'm not sure that that
24 was the point. The point is that it just made
25 common sense that if we're going to have a

1 process where we allow people to register three
2 days before an election that there should be a
3 better safeguard than there currently was.

4 BY MS. KLEIN:

5 Q. So the point was not to have evidence that
6 that was needed. It was to -- I didn't quite
7 understand.

8 The point wasn't to have evidence that that
9 was needed? The point was to tell the public that
10 that would be done?

11 A. Sometimes bills are -- they're not
12 necessarily evidence driven as much as common sense
13 driven.

14 Q. Okay.

15 A. And I would say that that provision was more
16 common sense.

17 Q. And is -- is adding a new statutory
18 requirement the only way to address issues of public
19 confidence regarding a certain part of election
20 administration?

21 MR. STRACH: Objection.

22 Go ahead.

23 THE WITNESS: No. I mean, one way
24 would be to get the Board of Elections to comply
25 more with the spirit of the law than trying to

1 provision was not what we -- what I considered a major
2 feature of the bill. So it wasn't something that drew
3 a lot of our focus.

4 Q. So is the answer to my question, no?

5 A. Can you restate the question?

6 Q. So were -- was there a reason that you
7 were -- like, were you not comfortable with the
8 documentary proof of residence that was already being
9 provided by same-day registrants?

10 A. I think I would just say that, you know, I
11 think all of the election integrity groups, this was a
12 concern of theirs, same-day registrations. And so we
13 felt like if it was a concern, then it made it into
14 the bill.

15 Q. So you were being responsive to their
16 concerns by including this provision in there?

17 A. Yeah, to theirs and other constituents.
18 Just individual constituents.

19 Q. Fair to say you just didn't think some of
20 those details through, because that wasn't a focus of
21 this bill for you?

22 MR. STRACH: Objection.

23 THE WITNESS: I would say that in --
24 in -- just in bills in general, you know,
25 legislature is a policy-making body. And

1 sometimes we get focused on what we think is the
2 right policy, and we don't necessarily have all
3 of the background on what the logistical
4 implications would be.

5 BY MS. KLEIN:

6 Q. And -- so that general principal, is that
7 applicable to the same-day registration provisions in
8 Senate Bill 747?

9 A. I would -- I don't think we probably thought
10 about the -- the point they're raising. You know, it
11 doesn't mean I think anything less of the provision,
12 because, you know, sometimes you just have to tell
13 agencies, you know, well, this is how the state -- the
14 legislature wants it to be. Not how the bureaucracy
15 desires it to be.

16 MS. KLEIN: All right. We can move on
17 to the next document. This is doc 28, and we'll
18 mark it as Plaintiffs' Exhibit 17.

19 (PLAINTIFFS' EXHIBIT 17 WAS MARKED FOR
20 IDENTIFICATION.)

21 BY MS. KLEIN:

22 Q. So this is an e-mail produced by your
23 attorneys. It's from Robert Waldrop, and it's sent to
24 several legislators, including yourself. And the
25 subject is, "Comments on proposed new voting laws from

1 an election worker."

2 And Mr. Waldrop says, "I'm writing to urge
3 you not to proceed with several parts of bill, which
4 is now being worked on and which you plan to
5 introduce. Please hear me out."

6 Are you familiar with Mr. Waldrop?

7 A. No. No, I'm not.

8 Q. Had you spoken with any election workers
9 about Senate Bill 747 before it was filed?

10 A. I don't believe so.

11 Q. In bullet number two he says, "You want to
12 propose same-day registrations to use a provisional
13 ballot, rather than same-day registration standard
14 ballot."

15 And he writes, "What this will require is a
16 lot more effort than you realize. Provisional ballots
17 require much greater amount of time by election
18 workers, BOE members and BOE staff."

19 "When registering and issuing ballots to new
20 voters, we carefully apply the law and scrutinize the
21 evidence presented. The system works well as is."

22 Do you recall receiving this information?

23 A. No. I've reviewed it in the discovery
24 packet, but I don't remember seeing it before.

25 Q. Do you -- you don't recall seeing it. So

1 Q. So did you recognize that first voice as
2 Senator Mayfield again?

3 A. Yes.

4 Q. And you took the response; correct?

5 A. Yes.

6 Q. So in responding to Senator Mayfield's
7 question you said, "I would think that most college
8 freshman probably would remain registered in their
9 home of residence and would vote absentee there."

10 What was the basis for that assumption?

11 A. Just all of the people that I -- probably
12 the people that I'm aware of that had college students
13 that I know, that would have been what they did.

14 Q. Can you --

15 A. Including mine.

16 Q. Can you point me to any study or data or
17 other non-anecdotal set of information that would
18 support the basis for your assumption there?

19 A. No.

20 Q. And later you said, "When I was in college,
21 I did have a credit card, which was tied to a P.O. box
22 that was on campus. So I think that would qualify as
23 a HAVA document."

24 Is it your understanding that a P.O. box is
25 the same as an address for a residence?

1 A. No. It can be used as a mailing address,
2 but not as a residence.

3 Q. So if you're trying to show a HAVA document
4 for a residence, a P.O. box actually wouldn't qualify
5 for that; correct?

6 A. I think that's probably correct.

7 Q. Did you -- you know, after these -- in both
8 days of committees these issues related to students in
9 this provision. Do you recall as any part of followup
10 to this, you know, asking from anyone for information
11 about, you know, how many eligible voters in North
12 Carolina would be adversely impacted by, you know, the
13 restrictions as they were drafted in the version of
14 the bill being considered?

15 A. I didn't ask, and I'm not sure there would
16 be any way to know.

17 Q. Did you try?

18 A. No.

19 MS. KLEIN: We can go to the next
20 document, and this will be doc 66. And we'll --
21 it'll be titled Plaintiffs' Exhibit 26.

22 (PLAINTIFFS' EXHIBIT 26 WAS MARKED FOR
23 IDENTIFICATION.)

24 BY MS. KLEIN:

25 Q. And so you'll see this is an e-mail --

1 for me personally, that I don't put a lot of
2 emphasis on e-mails that I get from out-of-state
3 organizations that don't even identify where
4 their address is. I mean, this one has no
5 address that I can see.

6 BY MS. KLEIN:

7 Q. So is it your recollection that you didn't
8 read this letter?

9 A. I don't know one way or the other.

10 Q. On the second -- the last page of the
11 exhibit, with Bates 3263, at the top of the first full
12 paragraph it said, "This will have an especially
13 adverse effect on college student voters in
14 North Carolina." And the topic of the letter is,
15 "Senate Bill 747, same day voter registration
16 provisions."

17 Do you recall if any effort was made to get
18 more information on the impact of the bill at that
19 time on student voters?

20 A. It sounds like, whether I read this or not,
21 Senator Mayfield did and conveyed their sentiments to
22 me.

23 Q. But do you recall if you or any of your --
24 or any of the pro tem staff, Mr. Woodcox, Mr. Yost,
25 sought any information that would help address or

1 understand an adverse effect on college students of
2 the bill as it was then drafted?

3 A. I don't know whether I read this letter. I
4 don't think I did any -- took any actions in response
5 to its content, but whether the staff did I don't
6 know.

7 Q. All right. You don't recall any, though;
8 correct?

9 A. No.

10 MS. KLEIN: Okay. We're going to
11 listen to another audio transcript. This is of
12 the senate floor. And we'll mark the audio as
13 Plaintiffs' Exhibit 28.

14 (PLAINTIFFS' EXHIBIT 28 WAS MARKED FOR
15 IDENTIFICATION.)

16 THE WITNESS: Can you tell me, was this
17 the initial bill passage or the concurrence vote?

18 MS. KLEIN: I think this is the initial
19 bill passage. So it's on June 21st.

20 And we can just go really quickly to
21 the legislative -- if you still have it,
22 Plaintiffs' Exhibit 13, I think, is the
23 legislative -- or the -- the bill summary page.

24 But we're talking about June 21st, and
25 it's the transcript, I think, for the afternoon.

1 MR. STRACH: Objection.

2 THE WITNESS: Well, I think my
3 understanding is that HAVA doesn't allow those
4 two documents to be used, and -- unless I'm wrong
5 about federal law.

6 BY MS. KLEIN:

7 Q. But is there any reason you can think of
8 that you would not think that that is a -- that is a
9 valid proof of residence that should be added?

10 MR. STRACH: Objection.

11 THE WITNESS: Well, I see a distinction
12 between the two. I think a mortgage statement
13 would be more legitimate than a residential
14 lease.

15 Q. Did you -- why?

16 A. Because I could go on Google and Google a
17 form and fill in a lease and forge signatures, but a
18 mortgage statement would be probably more difficult
19 to -- to do that, to fabricate a document.

20 Q. Do you have -- do you have any evidence that
21 that -- that process, of forging a HAVA document, had
22 ever occurred in North Carolina?

23 MR. STRACH: Objection.

24 THE WITNESS: No, but I think, you
25 know, the reason HAVA has certain documents is

1 because, you know, the HAVA law makes judgment
2 calls about what are more likely to be reliable
3 documents. We -- I don't see a need to expand
4 the list, I guess.

5 BY MS. KLEIN:

6 Q. You didn't see a need to expand the list,
7 even after hearing all of the concerns about the
8 difficulty for students to be able to meet the ID
9 requirements that were brought up by Senator Mayfield?

10 A. And the other thing is that -- no. And the
11 other thing is that we still know that in this process
12 this is just the senate bill that's going to go
13 through the whole house process.

14 It's going to come back to us. We might go
15 to conference, you know. So we're basically in the
16 first quarter of the bill process.

17 Q. Did you -- do you recall, you know, these
18 documents being considered later in the process as a
19 form of HAVA proof that could be provided by a voter?

20 A. I'm not sure. I don't have any recollection
21 of it.

22 Q. And just -- just to your point about fraud,
23 is it possible for someone to mockup a -- you know, an
24 example utility bill and provide that?

25 A. I think you could -- in today's day and age

1 Q. So she -- I'm going to go one by one and ask
2 you about some of the comments she made.

3 She mentioned there's no evidence of fraud
4 here. Do you agree with that?

5 MR. STRACH: Objection.

6 THE WITNESS: Well, there is -- I
7 believe there is 0% chance that there's not fraud
8 in every election of some sort.

9 BY MS. KLEIN:

10 Q. But she said there's no evidence of fraud
11 here. So do you disagree with that?

12 MR. STRACH: Objection.

13 THE WITNESS: I mean, I think a lot of
14 election fraud is -- it's sort of a hidden crime.
15 It's hard to detect.

16 Q. But are you aware of any evidence that
17 there's fraud related to same-day registration
18 specifically?

19 MR. STRACH: Objection.

20 THE WITNESS: No, but, I mean, so
21 the -- but the issue is not just fraud. It's
22 just people who -- it might not be intentional.

23 It might just be inadvertent, and they --

24 Whether they believe -- they want to
25 vote, but they shouldn't be allowed to vote

1 normal timeframes.

2 Q. Did you have any studies to support that
3 understanding?

4 A. No. Again, I guess I would just reiterate
5 that, you know, it was a policy-based discussion. It
6 wasn't always based on criminal data or other data.

7 Q. At the end she mentions disproportionate
8 impact on voters of color, student voters, military
9 members and young voters. All of whom use same-day
10 registration at a higher rate.

11 Do you have any reason to disagree with that
12 statement, about who this change in same-day
13 registration would impact?

14 A. I wouldn't take her word at face value.

15 Q. Do you have any reason to -- do you have any
16 basis for disagreeing with it?

17 MR. STRACH: Objection.

18 THE WITNESS: I mean, I wouldn't --
19 Senator Marcus says a lot of things on the floor
20 that -- that aren't necessarily accurate. So
21 without seeing some data from the Board of
22 Elections I wouldn't just take her statement at
23 face value.

24 BY MS. KLEIN:

25 Q. At that point in the process had you

1 requested that kind of data from the State Board of
2 Elections?

3 A. No, and didn't think it was necessary.

4 Q. Why not?

5 A. Just didn't.

6 Q. Do you think using same-day registration is
7 irresponsible?

8 A. I think it depends on the circumstances.

9 Q. What circumstances would it be
10 irresponsible?

11 A. If you're -- if you -- if you're a new
12 resident, and you've moved to the county -- or to
13 your -- that location within, you know, the last
14 30 days, then I think that's -- you know, that's
15 appropriate.

16 But if you've, you know, been there
17 significantly longer than that, then I think you
18 should have -- of course, our DMV, every time you go
19 to the DMV, you know, they offer you the opportunity
20 to register to vote. So --

21 Q. So you think it's irresponsible to use
22 same-day registration if you've lived at your current
23 residence you're voting from for more than 30 days?

24 A. I think when you move to a location, one of
25 the first things you do, you should get a new driver's

1 Q. Do you have any reason to dispute that
2 that's correct?

3 A. No. I think Mr. Cox probably gave accurate
4 information.

5 Q. Okay. At the end of that paragraph, the
6 last sentence, he says, "That seems likely if you
7 consider some of the population that may need to use
8 same-day registration the most. Military personnel,
9 students and renters, those who move frequently."

10 Do you have any reason to disagree that
11 these are the populations that need to use same-day
12 registration the most?

13 A. Where are you looking at?

14 Q. That's the third --

15 A. Oh.

16 Q. The third paragraph. The first long
17 paragraph, the last sentence.

18 Do you have any reason to disagree that
19 those are the populations that need same-day
20 registration the most?

21 A. I would agree that they're the ones that
22 move frequently.

23 Q. But you would not agree that they're the
24 ones that need to use same-day registration the most?

25 A. Not necessarily renters, because they could

1 be moving within the same county.

2 Q. So you would disagree with this?

3 A. With parts of it.

4 Q. Okay.

5 A. I think military personnel and students
6 do -- do move from other areas.

7 Q. So you think military -- okay. I think I
8 understand.

9 And then -- all right. Otherwise you don't
10 recall ever reviewing any of the attachments to this?

11 A. I don't think I've seen that.

12 MS. KLEIN: Okay. All right. Let's go
13 to the next document, 42, which we'll title
14 Plaintiffs' Exhibit 31.

15 (PLAINTIFFS' EXHIBIT 31 WAS MARKED FOR
16 IDENTIFICATION.)

17 BY MS. KLEIN:

18 Q. So this is a presentation titled,
19 "Presentation House Oversight and Reform Committee,
20 June 22nd, 2023."

21 Do you recognize this presentation deck,
22 just skimming through it?

23 A. No.

24 Q. To your knowledge, were you present during
25 this presentation on June 22nd to the House Oversight

1 it's possible the voter wouldn't know. Yes. I think
2 that's accurate.

3 Q. And what about the fact that a postcard
4 might be marked undeliverable and come back for
5 reasons that have nothing to do with the voter's
6 eligibility to vote in that jurisdiction, do you
7 disagree with that possibility?

8 A. I think there -- there's chances that
9 administrative errors could contribute to that.

10 MS. KLEIN: All right. I just have a
11 few more documents, and then it's a good time to
12 take another brief break, if that works.

13 MR. STRACH: Uh-huh.

14 MS. KLEIN: All right. Let's go to doc
15 52, and we'll mark this as Plaintiffs'
16 Exhibit 40.

17 (PLAINTIFFS' EXHIBIT 40 WAS MARKED FOR
18 IDENTIFICATION.)

19 BY MS. KLEIN:

20 Q. So this is an e-mail between you and your
21 assistant, Andy Perrigo. And if we look at the -- the
22 first e-mail in the chain, and that is from Walter
23 Joseph Reinke to Senator Warren Daniel, on Monday,
24 August 28th.

25 And this was produced by your counsel in

1 I mean, you know, there's 100 ways somebody
2 could get to -- you can do absentee -- no excuse
3 absentee mailing -- or voting.

4 Q. So I'm going to -- I'm going to ask you a
5 series of more questions. For every one of them I
6 want you to limit it to, you know, did you develop an
7 understanding in preparation for voting for Senate
8 Bill 747 and finally approving it or as your role
9 shepherding that legislation.

10 Did you develop an understanding of -- of
11 any issues student face in the state of obtaining
12 necessary documentation to prove residence for voting?

13 A. No.

14 Q. What about necessary documentation to
15 satisfy the photo ID -- the voter ID requirement?

16 A. No.

17 Q. What about -- any understanding about how
18 young voters vote? What -- by what methods they vote?

19 A. Not what percentage of types of method they
20 use.

21 Q. What about the proportion of young voters
22 among the broader electorate?

23 A. What percentage they are?

24 Q. Of registered voters. Yes.

25 A. No. I haven't looked at the statistics.

1 Q. What about their proportion of voter
2 turnout?

3 A. No.

4 Q. Did you develop any understanding of, you
5 know, demographic trends with young voters, as far as
6 what race they're more likely to be as compared to
7 older voters?

8 A. No.

9 Q. Did you -- you know, as part of your
10 legislative work on Senate Bill 747 did you develop
11 any concerns about student voting?

12 A. No.

13 Q. You know, as a general matter do you think
14 that college students should be permitted to vote in
15 their college community?

16 A. If they want to.

17 MR. STRACH: Objection.

18 Go ahead.

19 THE WITNESS: If they want to.

20 BY MS. KLEIN:

21 Q. You know, when you were working on Senate
22 Bill 747, and as part of your work, did you think that
23 election laws made it too easy for college students to
24 vote?

25 A. No. That was never anything that we

1 considered.

2 Q. Did you have -- as part of that work did you
3 have any greater concerns about fraud within, you
4 know, large college campuses and student voters?

5 A. I didn't personally.

6 Q. Other than what other legislators have
7 communicated to you, are you aware of other people
8 having those concerns?

9 A. No, uh-uh.

10 Q. Okay. You know, as part of your work in
11 developing Senate Bill 747 do you have any kind of
12 understanding -- did you develop any kind of
13 understanding of whether college students are capable
14 of appreciating the issues that their, you know,
15 community they're living in might need addressed
16 before the legislature?

17 A. Can you restate the question?

18 Q. Sure.

19 As part of your work on Senate Bill 747 did
20 you develop any understanding of whether college
21 students are -- can appreciate the issues in their
22 local community where they're going to school that
23 might need to be addressed from the General Assembly?

24 A. I'm not sure I understand the question.

25 Q. Okay. I'll move on.

1 There were several of the documents that
2 we've gone through where people, both the Board of
3 Elections and others, recommended some changes to it.
4 So, you know, we -- we thought -- I guess, in the end
5 the General Assembly thought some of those made sense.

6 Q. At any point did you try to shorten the
7 early voting period instead?

8 A. Not in this bill. I think most -- well --

9 Q. Why --

10 A. I think most -- a lot of people believe that
11 it's too long.

12 Q. Why didn't you try to do that in this bill?

13 A. It's just -- it was a policy decision.

14 Q. Why didn't you try to require additional
15 documentation from same-day registration voters,
16 instead of voting on this bill that just has a single
17 verification mailer?

18 A. I mean, again, it was just a policy decision
19 that was made between the house and the senate.

20 Q. So can you guarantee that the new same-day
21 registration provision in Senate Bill 747 would not
22 cancel the ballot of an otherwise eligible voter?

23 MR. STRACH: Objection.

24 THE WITNESS: No.

25 BY MS. KLEIN:

1 Q. So how do you think -- so what's your
2 understanding of the tradeoff between, you know,
3 preventing potentially ineligible ballots versus
4 cancelling eligible ones?

5 A. Say that again, please?

6 Q. Like, what's your understanding of the
7 tradeoff between, you know, preventing potentially
8 ineligible ballots versus cancelling eligible ones in
9 this, you know, same-day registration changes?

10 A. I think it's just the policy decision the
11 General Assembly made, that same-day registration is
12 kind of a, you know, unique privilege to register late
13 and vote late.

14 And that was the tradeoff that was made
15 to -- because of the difficulty in -- or the
16 impossibility of getting two mailings out when
17 somebody registers three days before the election.

18 Q. So I'm going to ask you a series of
19 questions. And I've asked you these questions about,
20 like, certain points in the legislative timeline, but
21 now I'm asking you for, like, overall.

22 And the point of this is just to make sure I
23 haven't missed anything or there's nothing that you
24 considered that I haven't missed. Okay?

25 So some of these are going to sound a bit

1 familiar. And I'm mostly talking to your lawyer here.
2 So he doesn't give me a bunch of asked and answered.
3 But that's what I'm getting at.

4 So, you know, looking at the -- the record
5 for Senate Bill 747, thinking about all of the
6 considerations and all of the information that you had
7 when it was being drafted, can you point me to any
8 evidence you are aware of during that process that
9 same-day registration provisions as they were before
10 they were changed in this bill caused any noneligible
11 voters to be able to successfully cast a ballot?

12 A. Are you saying were eligible voters not able
13 to vote previously under the prior law?

14 Q. I'm saying, can you point me to any evidence
15 that noneligible voters had successfully same-day
16 registered and had their ballot count under the old
17 provisions before they were modified by this bill?

18 A. No.

19 Q. So you don't have any examples since
20 same-day registration, you know, became possible in
21 North Carolina of a confirmed ineligible voter using
22 it successfully to vote?

23 MR. STRACH: Objection.

24 Go ahead.

25 THE WITNESS: No.

1 BY MS. KLEIN:

2 Q. Are you aware that the state board has
3 previously acknowledged that mail verifications should
4 not be equated to voter eligibility in its prior
5 guidance?

6 A. Say that again, please?

7 Q. So are you aware that the state board had
8 previously acknowledged that, you know, mail
9 verification should not be equated to voter
10 eligibility in its prior guidance to county boards?

11 A. I think it could be or it couldn't be,
12 depending on the circumstances.

13 Q. But are you aware that the state board had
14 acknowledged that those two things aren't equivalent?

15 A. Well, I think they probably acknowledge that
16 it could or it couldn't indicate an ineligible voter.
17 It might or it might not.

18 Q. So did you -- did you -- did you consider
19 that fact in the legislative process for Senate Bill
20 747, that a failed mail verification might not reflect
21 ineligibility?

22 A. No.

23 Q. Can you point me to any evidence that a
24 single undeliverable confirmation mailing would mean
25 that a voter did not actually live in their precinct?

1 A. Say that again, please?

2 Q. So I'll rephrase it.

3 You know, is it possible that if a same-day
4 registrant's mail verification comes back
5 undeliverable that it could be because their
6 residence, like, just does not receive mail?

7 A. There -- I -- I would say that there could
8 be, yeah, some reasons, other than that they don't
9 live there, that the mail is returned.

10 Q. You agree that it could come back -- the
11 mail verification for a same-day registrant could come
12 back undeliverable because the US Postal Service has
13 delivery issues?

14 A. Yes. There could be postal error.

15 Q. You agree that it could be due to -- it
16 could come back undeliverable because of a clerical
17 mistake by elections staff?

18 A. Yes. That's possible.

19 Q. And you agree it could come back deliverable
20 [sic] because the mailbox is just over full and can't
21 receive any more mail?

22 A. That might be a reason, but the card is
23 pretty small.

24 Q. And is it fair to say that, except for the
25 full mailbox, all of the other three things I

1 mentioned, the residents not receiving mail by the
2 USPS, the USPS having delivery issues or clerical
3 mistakes, those all are outside of the voter's
4 control; correct?

5 A. Yes.

6 Q. It's also possible that a voter has moved
7 within the 30 days of an election, so they have to
8 vote at their old residence, but because they've moved
9 a mail verification to their old residence might
10 actually bounce and be undeliverable?

11 A. I'm not sure I follow all of that, but
12 it's -- I guess it's possible.

13 Q. I'll work up to it.

14 So you have to vote where -- if you're
15 voting in North Carolina, you agree that you have to
16 establish residency for at least 30 days; correct?

17 A. Yes.

18 Q. So if you're a North Carolina resident, and
19 so you move within that 30 days right before an
20 election, you technically have to vote where you used
21 to live; correct?

22 A. Are you saying you move out of state or just
23 move?

24 Q. Within the state.

25 So if you've moved, and you're not

1 with the state board?

2 A. No.

3 Q. Did you do it yourself?

4 A. No.

5 Q. At any point in the legislative process for
6 Senate Bill 747 did you or anyone from your office
7 communicate with educational institutions about mail
8 deliverability issues with student addresses?

9 A. I don't think so.

10 Q. Are you aware if anybody else or their staff
11 did that at the General Assembly?

12 A. I'm not aware of any.

13 Q. Did you look at any studies about the
14 issues, deliverability issues, mail deliverability
15 issues, for students?

16 A. No.

17 Q. Okay. Did you look at any studies about
18 mail deliverability issues generally?

19 A. No.

20 Q. At any point in the legislative drafting
21 process for Senate Bill 747 did you or anyone from
22 your office communicate with a representative of the
23 US Postal Service about mail deliverability issues?

24 A. No.

25 Q. Are you aware that anybody else did that?